



Delegated Report

Householder Planning Application

Planning Application No: 20260740

Location: 73 The Hollies Gravesend Kent DA12 5ER

Description: Erection of single storey front and rear extensions.

Applicant: Mr Jonathan Carter

Site Visit Date: 09 September 2026

Submitted Documents/Plans

Householder Planning Application form;
Drawing no. 2450/01 Rev. B Existing block plan and site location plan;
Drawing no. 2450/02 Rev. B Existing layouts;
Drawing no. 2450/03 Rev. A Existing roof plan;
Drawing no. 2450/04 Rev. A Existing north and west elevations;
Drawing no. 2450/05 Rev. A Existing south and east elevations;
Drawing no. 2450/06 Rev. C Proposed block plan;
Drawing no. 2450/07 Rev. D Proposed ground floor layout and roof plan;
Drawing no. 2450/08 Rev. C Proposed north and west elevations;
Drawing no. 2450/09 Rev. C Proposed south and east elevations; and
Drawing no. 2450/10 Rev. A Proposed north elevation visual.

Superseded Documents/Plans

~~Drawing no. 2450/01 Rev. A Existing block plan and site location plan;~~
~~Drawing no. 2450/02 Rev. A Existing layouts;~~
~~Drawing no. 2450/06 Rev. B Proposed block plan;~~
~~Drawing no. 2450/07 Rev. C Proposed ground floor layout and roof plan; and~~
~~Drawing no. 2450/08 Rev. B Proposed north and west elevations.~~

Procedural Issues

Following a request from the case officer, the design of the proposed front extension was amended and details of an existing shed, which would be removed as part of the proposal, were shown on the submitted drawings. Because the change/additional information reduced the impact of the proposal and provided clarification of the existing site, no additional publicity was undertaken.

Relevant Planning History

Reference	Description	Decision	Decision Date
19770702	Application under Regulation 4 of the Town and Country Planning General Regulations 1976 for disapproved the details submitted in accordance with the requirements of condition ii attached to the planning permission dated 23rd	Refusal of details	01.09.1977

	June 1977 reference GR/77404.		
19770404	Erection of 484 dwelling units and the laying out of estate roads	Permitted	23.06.1977
19760821	Erection of 251 dwelling units and the laying out of estate roads	Permitted	01.12.1976
19750780	Revised details of dwellings forming Phase 5	Permitted	18.12.1975
19750583	Details of layout of estate and details of dwellings forming phase 5	Permitted	16.11.1975

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC7 – Other Archaeological Sites

As set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012 policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2026), the Council will also seek to replace these.

National Planning Policy Framework (2026)

- Section 4 -Achieving Sustainable Development
- Section 5 – Meeting the challenge of climate change
- Section 12 – Making Effective use of land
- Section 14 – Achieving well-designed places

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – Nationally Described Space Standard (2015)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)

Emerging Local Plan as a Material Consideration

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (Planning and Compulsory Purchase Act 2004) and section 70(2) of the Town and Country Planning Act 1990 (Town and Country Planning Act 1990) make it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise.

Decision Making Policy DM4 of the Framework sets out that when considering development proposals, relevant policies may be given weight, however, this is subject to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement, the Court found that the weight to be given to an emerging Local Plan was a matter of planning judgement, which had to be reached having fully considered the relevant part of the Framework, which from 17 August 2026 Decision Making Policy DM4 of the Framework.

The Council's emerging Local Plan has reached the Regulation 19 Consultation stage, with the consultation having ended on 18 August 2026. The emerging Local Plan does not form part of the Development Plan.

The Council is aware that third parties have raised objections to the wider emerging Local Plan and specific policies within it. Therefore, at present the Council cannot categorically state that the emerging Local Plan can be considered sound and consistent with the National Planning Policy Framework (2024) [as an emerging Local Plan being brought forward under the legacy system, it would be examined under the 2024 Framework]. Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan.**

This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

None.

Neighbouring properties

The application was publicised by a site notice and to ten neighbouring properties by letter. No representations have been received. The overall consultation period expired on 28 August 2026.

Officer's Analysis

Design, Character and Appearance

Policy CS19 of the Gravesham Local Plan Core Strategy (2014) sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

In relation to front extensions and porches, the Householder Extensions/Alterations Design Guide (2021) sets out that proposals can change the character of the original building and where poorly designed, have a negative impact on the appearance of the street scene; that their scale and design should respond to the existing dwelling; that existing features such as bay windows should be preserved; that open porches,

where they are an original feature, should generally not be enclosed; and that proposals should not undermine the depth of front parking spaces.

In relation to single storey rear extensions, the Householder Extensions/Alterations Design Guide (2021) sets out that they should not dominate the original property in terms of depth (extensions to extensions will not generally be supported); they should not rise above the window cill level of any first floor windows; they should not be excessive in height, especially where they are greater than three metres in depth; or excessive in width (no greater than the original building). Flats roofs can be acceptable where they are not widely visible and pitched roof designs should reflect the main roof.

The original design for the proposed development included a front extension that extended across the full width of the application property. Such a design was considered detrimental to the character of the surrounding estate, whereby frontages are open, vegetated and devoid of built development, apart from some properties having small porches. In light of this, the design of the proposed front extension was amended to reduce its width.

Although the proposed roof pitches would not match with existing, they would not look significantly out of place and the proposed development would be of a general design and materials that would not be out of character with the existing building. The front extension, although introducing a new feature into the locality, by virtue of its small depth, reduced width and matching materials would appear subservient to the building and visually appropriate in its surroundings. The rear extension would be visible from the street scene but it would not overwhelm the existing building and so would appear subservient. The proposed facing materials would match with existing.

Overall, the proposal would be appropriate in terms of design and would not have an adverse impact on the character or appearance of existing building or the surrounding area. Therefore, the proposal would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and the Householder Extensions/Alterations Design Guide SPD (2021).

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy (2014) requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants. In this regard, the Nationally Described Space Standards (NDSS) and the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

According to the RLG a three bedroom dwelling should have a minimum garden area of 60 square metres and a minimum depth of 10 metres. Although it is noted that the estate on which the application property is located, generally has gardens that are much lower than this standard. This was part of the original design approach for the estate and led to the removal of permitted development rights for extensions and outbuildings for dwellings, to ensure that sufficient gardens could be maintained.

To preserve garden space at the application site, it is proposed to remove an existing shed, which does not have planning permission but has become lawful through the passage of time. Although it is noted that even with the shed removal, the proposed development would result in a small reduction in the size of the rear garden at the application site.

A reduction in the available private amenity space at the application site would be detrimental to the residential amenity of future occupiers but because the estate has numerous areas of open space, there is a park located to the north west and an area of open space/public footpath located to the south (with connections to the countryside and Cyclopark), alternative opportunities for recreation would be available to residents. As such, and in light of the small scale of the garden loss, it is considered that the adverse residential amenity impact would not be so significant as to warrant a refusal of planning permission.

In order to retain the proposed garden, the removal of the garden shed should be subject to an appropriate planning condition.

The proposed development would not adversely impact on the internal layout of the application property, the daylight/sunlight available to, or the privacy of, its occupants.

Overall, the proposed development would be acceptable in terms of the residential amenity of future occupiers and be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy (2014) requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupiers. In this regard, the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The closest residential properties to the application site are no. 72 The Hollies (located to the west) and nos. 74 and 75 The Hollies (located to the east). Nos. 66 to 71 The Hollies are located to the north west and nos. 64 and 65 The Hollies are located to the north.

The proposed development would introduce a number of new windows to the application property. The RLG set out that privacy distances between facing windows should be met, in order to prevent overlooking. A privacy distance of 21 metres is required for facing windows where there is no private garden area in between and a privacy distance of 26 metres is required where a private garden is within the field of view.

The proposed front living room window would directly face the front windows of nos. 64 and 65 The Hollies, with a privacy distance of some 18.6 metres, which does not meet the 21 metre requirement of the RLG. However, it is noted that the shortfall is only minor. Furthermore, because the proximity of the pedestrian accessway in this location already allows some overlooking to their front windows, the occupiers of these properties cannot not have an expectation of total privacy in their front facing rooms. Lastly screening is provided by existing mature vegetation between the properties. As such, any loss of privacy experienced by these occupiers would not be so significant as to warrant a refusal of planning permission.

The proposed front living room window would obliquely overlook the front windows of nos. 67 and 71 The Hollies. However, as existing front windows (porch and living room) at the application site have similar overlooking impacts and because the proximity of the pedestrian accessway in this location already allows some overlooking, the occupiers of these properties cannot not have an expectation of total privacy in their front facing rooms. Therefore, any loss of privacy (reduced by the oblique nature of the view) experienced by these occupiers would not be so significant as to warrant a refusal of planning permission.

The windows in the rear/side elevations of nos. 3, 4 and 5 The Hollies would have privacy distances of some 26.6 metres (nos. 3 and 4) and 25.6 metres (no. 5) to the proposed rear kitchen windows. It is noted that any adverse overlooking impacts from the proposed rear kitchen windows would be screened by existing boundary treatments and a kitchen is a non-habitable room. Therefore, there would be no loss of privacy to these occupiers.

Due to the design of the proposed development and to the design, layout and orientation of nos. 71, 72, 74 and 75 The Hollies, there would be no adverse overshadowing or overbearing impacts to their residential occupiers.

In order to prevent any future loss of privacy or adverse noise/odour impacts to neighbours, any planning permission granted should be conditioned to preclude the insertion of any windows or openings (including flues) in the side elevations of the proposed development.

Overall, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Any Other Material Planning Considerations

The application site is located within an area of some palaeolithic potential and multi-period archaeological potential and within Groundwater Source Protection Zone 3. However, as the proposed development is

within the confines of an existing residential garden and only a relatively small amount of groundworks would occur, then it is considered that there would be no adverse impacts to groundwater or archaeology. As such, the proposal would be in line with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

The application site is located in a smoke control area. As such, advice regarding smokeless fuels/appliances can be given to the applicant in an informative attached to any planning permission granted.

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Materials to match existing

Prior to first use, removal of shed shown on drawing no. 2450/02 Rev. B (Existing layouts)

No openings including flues in flank elevations

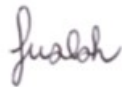
Conclusion

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Recommendation

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	22 September 2026	Dated:	23 September 2026